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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/539,735
Filing Date	3/30/00
First Named Inventor	James L. Brown
Group Art Unit	1644
Examiner Name	P. Nolan
Attorney Docket Number	DHI-03864

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply Response to June 3, 2002 Office Action
- ii. ☒ Affidavit(s)/Declaration(s) by Dr. Leonard Kohn, with Tabs 1-7
- iii. ☒ Information Disclosure Statement (IDS) and Form PTO-1449
- iv. ☐ Other \_\_\_\_\_

12/06/2002 HGBREH1 00000061 09539735

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-1290
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) - 3 months
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 830.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Signed on behalf of: **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Maha A. Hamdan	Registration No. (Attorney/Agent)	43,655
Signature	<i>Maha A. Hamdan</i>	Date	December 3, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Cliff Cannon-Cin	Date	December 3, 2002
Signature	<i>Cliff Cannon-Cin</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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DEC 10 2002


In re Application of: James L. Brown  
Serial No.: 09/539,735  
Filed: 03/30/00  
Entitled: DIAGNOSIS OF AUTOIMMUNE DISEASE

Group No.: 1644  
Examiner: P. Nolan

TECH CENTER 1600/2900

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
Dated: December 3, 2002	By:  Cliff Cannon-Cin

Sir or Madam:

Transmitted herewith is an **Response to June 3, 2002 Office Action** for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	19	—	20	0	×	18.00	\$0.00
Independent Claims	3	—	3	0	×	84.00	\$0.00

Three Month Extension of Time \$920.00

SUBTOTAL \$920.00

Small Entity 50% Filing Fee Reduction — \$460.00

Request for Continued Examination Filing Fee — \$370.00

**TOTAL DUE \$830.00**

Applicant submits the following for filing in this application:

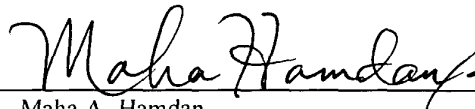
1. Request for Continued Examination (RCE) Transmittal.
2. Declaration by Dr. Leonard Kohn, with Tabs 1-7.
3. Supplemental Information Disclosure Statement and Form PTO 1449.
4. Check for **\$830.00** is attached.
5. Petition for extension of time. The undersigned attorney of record hereby petitions for an extension of time pursuant to 37 C.F.R. § 1.136, as may be required, to file this response.

6. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. **08-1290**. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Signed on behalf of:

Dated: December 3, 2002

By:

A handwritten signature in black ink, appearing to read "Maha Hamdan", is written over a horizontal line.

Maha A. Hamdan  
Registration No. 43,655

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